

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

**SFFA's MOTION FOR SUMMARY
JUDGMENT PURSUANT TO RULE
56**

ORAL ARGUMENT REQUESTED

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and L.R. 56.1, Plaintiff Students for Fair Admissions, Inc. ("SFFA") respectfully moves the Court for entry of an Order granting it summary judgment on all counts.

1. SFFA brought suit against the University of North Carolina at Chapel Hill ("UNC") alleging that Defendants administer an admissions process that unconstitutionally discriminates on the basis of race.

2. As explained in detail in SFFA's supporting memorandum of law, there is no genuine issue of material fact and SFFA is entitled to judgment as a matter of law; no reasonable jury could find that UNC's use of race in its admissions process is narrowly tailored to further compelling government interests.

WHEREFORE, SFFA respectfully requests that the Court:

1. Grant SFFA's Motion for Summary Judgment on all counts;
2. Enter Judgment for SFFA on all counts; and
3. Grant SFFA such other relief as may be appropriate.

Pursuant to L.R. 7.3(c), SFFA also respectfully requests the opportunity to present oral arguments on this Motion. SFFA believes that oral argument would be helpful to the Court and warranted given the expert analysis in this case and the importance of the constitutional rights involved.

Respectfully submitted this 18th day of January, 2019.

/s/ Thomas R. McCarthy

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Attorneys for Plaintiff Students for Fair Admission, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing motion via the Court's electronic filing system, pursuant to the Electronic Filing Procedures, on all attorneys of record who have entered an appearance by ECF in this matter.

This the 18th day of January, 2019.

/s/ Alan M. Ruley
Alan M. Ruley